HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.7737 of 2006

Date: 20-04-2006

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Between:

Smt. Saleha Banu

…. Petitioner

and

The District Collector,

Hyderabad District,

Nampally, Hyderabad and another.

…Respondents.

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ORDER :

This writ petition is filed by the petitioner declaring the inaction of the respondents in insisting to pay the regularization fee as per the present rate with 10% penal interest as being arbitrary and illegal.

The only grievance which is ventilated by the petitioner is that the land purchased by him in the Adam Cooperative Housing Society Limited has to be regularized as per the market value existing in the year 1986 when he purchased the property and though he is prepared to pay the regularization fee as per G.O.Ms.Nos.455 and 456 Revenue (UCI) Department, dated
29-7-2002 for regularization of the land after deducting 67 Sq.mts. out of 184 Sq.mts., the remaining 117 Sq.mts. which is equivalent to 140 Sq.yards, the authorities are not collecting the amount payable as per Schedule-I, under 3D category under 8th Ward of MCH, and demanding for payment of regularization fee as per the existing rate.

Learned counsel for the petitioner contended that the respondents are demanding for payment of regularization fee as per the existing rate, which is arbitrary.

On the other hand, the learned Government Pleader for Urban Land Ceiling, on instructions, submits that the alleged visit of the revenue officials on 27-3-2006 and insisting for payment of the regularization is not correct and no demand is ever made to the petitioner. Further the petitioner never made any application for the grant of occupancy rights, and therefore, insisting for payment of regularization fee does not arise.

Heard learned counsel for the petitioner and the learned Government Pleader for Urban Land Ceiling.

In view of the above submissions, if the revenue officials insist for such payment or take any action for eviction of the petitioner, the petitioner can move appropriate forum to protect his right over the property. It is also open for the petitioner, if there is any scheme for regularization of the land, she can avail such remedies before the appropriate forum.

The writ petition is accordingly dismissed. No costs.

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A. GOPAL REDDY,J)

20-4-2006.

Msr.

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(Msr)